

REMARKS

In this RCE, and before substantive examination, please preliminarily amend the application as noted above. Attorney for the applicants wish to thank Examiner Nguyen for the telephone conversation on October 25, 2005. During this call, amendments to claim 1 were discussed, and Examiner indicated that this RCE was needed to have such amended claims considered.

Regarding the amendments, all claims now positively recite that an outgoing user's call includes both the user's telephone number, as well as any telephone number associated with an outgoing modem pool. The alternative language was deleted. As a result, the user's telephone number is provided to a switch in the public telephony network to thereby appropriately bill for this outgoing call. As an example, if such an arrangement were not provided, the only information that the modem may receive about the identity of the user is the user's IP address (used to communicate with or access another computer), and this IP address has no meaning to a network switch (such as a 5ESS switch) for that switch to provide billing information.

As noted previously, the Schessel reference discloses only providing a single telephone number, namely the subscriber's or user's telephone number. There is no discussion of the problem, let alone the solution, to the subscriber's number being lost when calls are made outbound to the telephone network via a modem pool, where the modem pool includes telephone numbers associated with modems in the pool. Thus, Schessel fails to disclose or suggest providing both the subscriber's number as well as any number associated with a modem in a modem pool.

Possibly more importantly, the modem pool disclosed in Schessel is at an opposite end of the user's connection, namely at the ISP. Claim 1 recites, among other limitations, that a user makes a request to "place a telephone call through the shared modem pool to a public telephony network." Attorney for the applicants believes it is clear that the modem pool of previously pending claim 1 is at the originating side of the telephone network, rather

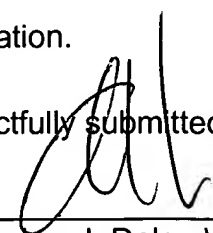
than at the destination as recited in Schessel. This is an independent reason that claim 1 is allowable. Nevertheless, to further emphasize this point, claim 1 is amended to note that, among other limitations, the shared local access network and shared modem pool are located to receive the outbound telephone call before it accesses the public telephony network, thus further emphasizing that the local access network and modem pool are at an originating portion of a call before it accesses the public telephony network.

Other claims recite similar limitations, such as claim 6 noting that the shared modem pool is associated with a local area network for multiple users and is used to access the public telephony network. Further, claim 6 has been amended to include language newly added to claim 1. Independent claims 10 and 15 have also been amended to recite similar limitations, namely that the network and shared modem pool both precede access to the public telephony network, rather than having either the modem pool or local area network being associated with a destination of a call.

Attorney for the applicants encourages Examiner Nguyen to contact the undersigned attorney to expedite prosecution if need be. Overall, the claims pending in the application are believed to patentably define over the applied art, and thus a Notice of Allowance is therefore respectfully requested. The applicants reserve the right to pursue additional claims in a continuation application. Comments provided herein apply only to this application and not to any continuation application.

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Respectfully submitted,

By 
Christopher J. Daley-Watson
Registration No.: 34,807
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant